

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA**

In re:

Billy Franklin Hoffman, Jr.,
Debtor.

Case No. 17-10163
Chapter 13

Duke Energy Progress, LLC
Plaintiff,
v.
Billy Franklin Hoffman, Jr.,
Defendant.

Adversary Case No. 17-01009

AFFIDAVIT OF DEFAULT

PERSONALLY APPEARED before me Charles M. Sprinkle, who, being duly sworn, deposes and says:

1. He is an attorney with Haynsworth Sinkler Boyd, P.A., attorneys for Duke Energy Progress, LLC, plaintiff in the within captioned matter.
2. On August 7, 2017, he caused the Adversary Coversheet and Adversary Complaint to be filed with the Bankruptcy Court.
3. On August 8, 2017, the Court issued the Summons and assigned the Case Number 17-01009. The Answer deadline was September 7, 2017.
4. The Adversary Coversheet, Adversary Complaint, and Summons will hereinafter be

referred to collectively as the "Pleadings."

5. Said Pleadings were personally upon defendant Billy Franklin Hoffman, Jr. on August 10, 2017.

6. No notice, motion, or other pleading was filed by or on behalf of any of defendants, within 30 days of issuance of the summons and no extension of time was granted or requested by the deadline to respond to the complaint.

7. Upon information and belief, all defendants are above the age of eighteen and no defendant is an individual entitled to protection under the Servicemembers Civil Relief Act, 50 USCS Appx. §§ 501 *et seq.* (2004).

8. Plaintiff, by and through its undersigned attorney, hereby moves this Court for an Order of Default as to each of the defendants granting the relief requested in the Complaint.

Further Affiant sayeth not.

HAYNSWORTH SINKLER BOYD, P.A.

By: 

Charles M. Sprinkle

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Attorneys for Duke Energy Progress, LLC

SWORN to and subscribed before me
on this 4th day of October, 2017.

Dee Ginn

NOTARY PUBLIC - State of South Carolina
My commission expires: 3/24/2027

